

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CHARATZ,	X	
	X	
Plaintiff,	X	Hon. Stanley R. Chesler, U.S.D.J.
v.	X	Civ. No. 05-2319 (SRC)
	X	
AVAYA, INC., et. al,	X	ORDER
	X	
Defendants.	X	
GILLILLAND, et al,	X	
	X	
Plaintiffs,	X	
v.	X	Civ. No. 05-2328 (SRC)
	X	
AVAYA, INC., et al,	X	
	X	
Defendants.	X	
LEVITT,	X	
	X	
Plaintiff,	X	
v.	X	Civ. No. 05-2432 (SRC)
	X	
AVAYA, INC., et. al,	X	
	X	
Defendants.	X	

PINE,	X	
	X	
	X	
Plaintiff,	X	
	X	Civ. No. 05-2475 (SRC)
v.	X	
	X	
AVAYA, INC., et. al,	X	
	X	
Defendants.	X	

	X	
WEIMAN,	X	
	X	
Plaintiff,	X	
	X	Civ. No. 05-2477 (SRC)
v.	X	
	X	
AVAYA, INC., et. al,	X	
	X	
Defendants.	X	

CHESLER, District Judge

This matter comes before the Court on the application of Movant Institutional Investor Group and on the application of Movant Castelli Group for consolidation, the appointment of the lead plaintiff and the approval of lead plaintiff's choice of counsel. Also before the Court are Defendants' *pro hac vice* motions to admit Glen C. Colton, Esq., Jessica Margolis, Esq., Meredith Kotler, Esq., and Jerome F. Birn, Esq. The Court having considered the papers submitted by the parties, for the reasons set forth at oral argument on August 1, 2005, and for good cause shown:

IT IS on this 16th day of August 2005,

ORDERED as follows:

1. The motions of the Institutional Investor Group are granted (docket # 8 in Charatz, 05-2319; docket #11 in Gilliland, 05-2328; docket # 9 in Levitt, 05-2432; docket # 4 in Pine, 05-2475; and docket # 4 in Weiman, 05-2477);
2. The motions of Castelli Group are denied (docket #6 in Charatz, 05-2319; docket # 9 in Gilliland, 05-2328; docket # 2 in Weiman, 05-2477); ,
3. The above-captioned matters are consolidated pursuant to Fed. R. Civ. P. 42(a) under the case Charatz v. Avaya et al., 05-2319;
4. The Institutional Investor Group are the most adequate plaintiffs and are approved as lead plaintiffs pursuant to 15 U.S.C. §78u-4(a)(3)(B)(iii);
5. Lerach Coughlin Stoia Geller Rudman & Robbins LLP, are appointed lead counsel and Cohn Lifland Pearlman Herrmann & Knopf LLP is appointed liaison counsel pursuant to 15 U.S.C. §78u-4(a)(3)(B)(v);
5. Plaintiffs shall file their consolidated complaint within sixty days of the date hereof;
6. Defendants shall answer or otherwise move with respect to the consolidated complaint within sixty days of date of the service of the consolidated complaint;
7. Should Defendants' move with respect to the consolidate complaint, Plaintiffs shall file and serve their answering papers within sixty days of service upon them of Defendants' motion;
8. Defendants shall file and serve their reply papers, if any, within thirty days of the

date of service of Plaintiffs' answering papers;

9. The motion shall be returnable on a date to be fixed by the court after the service and filing of Defendants' reply papers;
10. Defendants' Motions for Leave to Appear *Pro Hac Vice* are GRANTED (docket # 19 and # 22 in Charatz, 05-2319; docket # 17 and #19 in Gilliland, 05-2328; docket # 15 in Levitt, 05-2432; docket # 9 and # 11 in Pine, 05-2475; and docket # 8 and #9 in Weiman, 05-2477);
11. Glen C. Colton, Esq., Jessica Margolis, Esq., Meredith Kotler, Esq., and Jerome F. Birn, Esq. are permitted to appear and participate *pro hac vice* in the above-captioned matter pursuant to L. Civ. R. 101.1(c);
12. All pleadings, briefs, and other papers filed with this Court shall be signed by an attorney admitted to the Bar of the State of New Jersey and this Court;
13. Glen C. Colton, Esq., Jessica Margolis, Esq., Meredith Kotler, Esq., and Jerome F. Birn, Esq. shall pay the annual fee to the New Jersey Lawyers' Fund for Client Protection in accordance with New Jersey Court Rules 120-1(b); 1:28-2(a) and 1:28B-1(e) within 20 days from the date of the entry of this Order;
14. Glen C. Colton, Esq., Jessica Margolis, Esq., Meredith Kotler, Esq., and Jerome F. Birn, Esq. shall each make a payment of \$150.00 to the Clerk of the United States District Court in accordance with L. Civ. R. 101.1(c)(3), as amended, within 20 days of the date of entry of this Order;
15. Glen C. Colton, Esq., Jessica Margolis, Esq., Meredith Kotler, Esq., and Jerome F. Birn, Esq. shall be bound by the Rules of the United States District Court for

the District of New Jersey, including, but not limited to the provisions of L. Civ.

R. 104.1, Discipline of Attorneys.

s/Stanley R. Chesler
Stanley R. Chesler, U.S.D.J.